

HOUSE BILL NO. 709

INTRODUCED BY RASER

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS GOVERNING THE CHIROPRACTIC LEGAL PANEL; CLARIFYING THE STATUS OF THE PANEL AS A QUASI-GOVERNMENTAL ENTITY; REVISING THE SELECTION PROCEDURE FOR THE PANEL; REVISING THE FILING REQUIREMENTS FOR DECISIONS OF THE PANEL; AMENDING SECTIONS 27-12-104, 27-12-402, AND 27-12-605, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 27-12-104, MCA, is amended to read:

"27-12-104. Creation of panel. There is a Montana chiropractic legal panel. The panel is a quasi-governmental entity and is allocated to the Montana supreme court for administrative purposes only, except that 2-15-121(2) does not apply. The only state laws applicable to the panel are those contained in this chapter and those laws specifically made applicable to the panel."

Section 2. Section 27-12-402, MCA, is amended to read:

"27-12-402. Selection of panelists. ~~(1) The director shall promptly transmit an application submitted under 27-12-301 to the directors of the chiropractic physician's state professional society or association board of chiropractors and the director of the state bar of Montana shall each annually transmit a list of licensees to the director of the panel. Within 14 days from the date of transmittal of the application~~ A LIST, the director ~~of the professional society or association and the state bar of Montana shall each select 12 proposed panelists from each THE list. which the~~ The director shall select three from each list to serve on the panel. The director shall notify the parties of the names of the panelists.

~~(2) If no state professional society or association exists or if the chiropractic physician does not belong to such a society or association, the director shall transmit the application to the chiropractic physician's state licensing board and the licensing board shall select 12 proposed panelists from the chiropractic physician's profession and, when applicable, from persons specializing in the same field or discipline as the chiropractic physician."~~

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2 **Section 3.** Section 27-12-605, MCA, is amended to read:

3 **"27-12-605. Decision to be filed and copies sent to parties, attorneys, and licensing board.** A copy

4 of the decision must be:

5 (1) given to the parties and their attorneys; and

6 (2) retained in the permanent files of the panel; ~~and~~

7 ~~— (3) given to the chiropractic physician's professional licensing board."~~

NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2005.

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